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ciple underlying the contractual relations of business and has treated them with a conciseness and precision which commends the book to the constituency for which it was written. An introduction by Professor Roland P. Falkner sets forth the utility as well as the limitations of such a study in our colleges. If the author is to be criticised, the criticism will apply equally well to nearly all law writers, namely, that they are apt to be too slavish in following the remote past: for example, the use of the term "municipal law" to mean the law of a state, coming down from a time when the municipal law of Rome gave to the subject that character; whereas to-day our nomenclature has a distinctly local significance.

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#### REVIEWS.

*American History Told by Contemporaries.* Volume iii. National Expansion, 1783-1845. Edited by ALBERT BUSHNELL HART. Pp. xx, 668. Price \$2.00. New York: The Macmillan Company, 1901.

The earlier volumes have become so well known as to make unnecessary any explanation of the plan and purpose of this indispensable series of "Sources." The preliminary matter has been condensed; the introductory notes and references are clear and pointed, but in some instances too great sacrifices have been made for the sake of brevity. In critical years like 1783 and 1790 the dates are sometimes not given with desirable explicitness. For example, the vast majority of those who use this book will not have access to the 1810 edition of Hamilton's Works, and will thus be quite unable to fit the reprint "Report on a National Bank" (No. 82) into its proper place in the bank controversy.

Perhaps "National Expansion" may serve as well as any other title to characterize the period to which this volume is devoted, although there may be some question as to the significance of the year chosen to mark its closing. These years throng with statesmen and issues of the first importance in American history, and it must indeed have been "a painful task to throw out much instructive and interesting material which had been selected." The one hundred and eighty-nine "pieces" vary in length from one to six pages; they are of the most diverse character and quality, and illustrate widely varying phases of American life and development. They are distributed among the following principal topics: The United States in 1783; The Confederation; The Federal Constitution; Federal Supremacy; Jeffersonian Supremacy; National Consciousness; Social and Political Readjustment; Slavery and Abolition.

No subject is presented with more satisfactory fullness of illustrative material than the formation and inauguration of the Constitution. These pages also give the data for a comprehensive and non-partisan understanding of the beginnings of the conflict over slavery.

Two minor topics will have their especial timeliness. The first of these is the group of excerpts relating to "National Expansion." Here is President Jefferson's statement of the importance which the possession of New Orleans would have for the future of the United States. There follows Lucien Bonaparte's spirited account of Napoleon's discussion with his two brothers in regard to the sale of Louisiana. Mr. Henry Adams has already made excellent use of this in his "Administrations of Jefferson and Madison." It is to be regretted that the translation especially prepared for this volume should be so wretchedly unidiomatic. To take a sentence almost at random,— "Joseph, splashed to the extent of the immersion of his clothes and his face, had received all over him the most copious injection," will hardly rank as classic English. Senators' objections to the annexation of Louisiana have a decidedly modern ring, while the petition of Louisiana inhabitants for representative government brings out clearly the early phases of the question whether the Constitution follows the flag. Of like timeliness is the group of papers relating to foreign policy, especially in connection with the early statements and interpretations of the Monroe Doctrine. (Nos. 142-150.)

It is a matter of course that each user of this book will regret particular omissions. It seems hardly fair, for example, that in a controversy at once so bitter and so abounding in precedents as that which arose over the charter of the first Bank of the United States, only the Federalist side should be presented, while Jefferson's vigorous counter-argument must be sought elsewhere. Again, it seems unfortunate that in the whole group of papers relating to "Federal Supremacy" there should be no hint of the influence of John Marshall and of the courts in establishing that supremacy. Of course this is no careless oversight; the editor is here consistently observing his self-imposed limitation in avoiding "constitutional documents, both because they are not self-explanatory, and because good collections of them now fortunately abound." But neither court reports nor even digests are in the hands of the majority of those to whom these volumes will render their chief service; it is therefore to be regretted that scope could not have been allowed for the presentation of so dominant an influence.

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